

The National Guard Bureau Regional Liaisons

Farewell from a Legend

May-June 2012

Jim Bishop Retiring after 27 Years

NGB Liaison HRAC Region 6

[Featured In This Issue]

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Jim Bishop Retires after 27 Yrs

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*"In my capacity, I have dealt with many other agencies and their FECA programs and I must say that the National Guard FECA program is by far the best, most efficient and most effective program in the federal government."
--Mr. Bishop*

Hello

Fellow Practitioners of OWCP Magic, I just wanted to take this opportunity to say farewell to all of you whom I've had the great pleasure to meet and work alongside for these past 27 years. As you may have heard I am retiring, effective 31 May (they threw one too many buyouts my way.) I must say it was a wonderful ride and I was continually impressed by the dedication and efforts put into this program by all of those involved, but mostly the ICPAs. In my capacity I have dealt with many other agencies and their FECA Programs and I must say that the National Guard FECA program is far and away the best run, most efficient and most effective Program in the Federal Government.

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Did You Know...

Special NG Retirement Provision PL 97-253

A NG technician may be eligible if he/she:

- Is involuntarily separated because of a disability that disqualifies him/her from Guard membership or holding the military grade required for his/her employment;
- Is not considered to be disabled by OPM under regular CSRS/FERS provisions; -Is not appointed to another Federal position; and
- Has not declined a reasonable job offer.

Farewell From A Legend, Cont'd...

Jim Bishop Says “Good–Bye”

I know that may sound a bit biased but it's something I have truly believed for many many years. I have so many great memories and have met so many wonderful people that I feel truly blessed and in that aspect will be sad to go, but in every other aspect in the universe I'm a happy camper and vow to never ever do another report of any kind for the rest of my life! I remember back when the program first began I had to look up what OWCP stood for, after my initial assessment I was convinced that EVERYBODY on the long-term rolls were crooks and frauds, of course I found out differently but it took some time. When we were hired and in our first meeting as a team, we were told our first and foremost goal was to reduce costs, at that time I think it was like 11 million total, armed with those orders and my certainty that fraud was rampant in the program we began our case reviews and subsequent assault on the program. A year later the new chargeback listing came out, back then it was all paper with no way of telling during the year how we were doing, after all the efforts we put in I was sure success and a hero's welcome were in my future, the costs went up over a million and a half! I thought well that was a short lived program, we pulled out the paper and pencils and began crunching the numbers, turns out instead of the hundreds of crooks I had imagined there was a large group of people not receiving all the benefits they were entitled to, such as loss of military wages and incorrect pay rates, that year we made many people happy and our bosses not so happy, the program and us survived and I'm happy to report today overall reductions for the past three years. I have no doubt Candace and her band of merry Liaisons will continue to excel and I will miss working with them. I have to mention two people who impacted my OWCP career (and life) the most from day one, they are Mr. Ed Godwin, the original NGB OWCP program manager and Ms. Sue Wetherington, the original Liaison both of whom had an unmatched passion and enthusiasm for the program and lived and breathed OWCP 24/7, without those two on the ground floor I don't think this program would have survived to enjoy the success it has today. The current Liaison team is lean and mean and has all the tools necessary to take this program to new heights and I wish them all the best. I would like to also thank my region; I know it would be wrong and unfair to single them out as the best of the best so even though they are I won't do that. All kidding aside we have some amazing and talented ICPAs and I know for a fact that some do not receive the recognition they deserve but yet they continue to excel, my grandfather always used to tell me, the cream always rises to the top, so keep up the good work and I have no doubt each of you will be recognized for your efforts. I wish I could recite the names of all the people in this program that have left footprints in my life, for those of you who know me, you know that you could put me and 20 people with Alzheimer's in a memory competition and I would finish last but I would like to thank you all for a wonderful time and a fantastic ride. So if you ever find yourself in Austin Texas I would love it if you let me know so we can tip a beer and tell some lies about the old days. Farewell... **Jim Bishop**

Quick Tip:

Treating a burn fast and effective can be done if you have flour on hand. Simply apply flour to the burn sight in a generous portion for 15-20 minutes. This will reduce swelling and prevent oozing.

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What To Do When Injured During TDY

BY: Suzette E. Turpin

The CA-10 clearly defines what one should do when injured at work. But, what should one do when suffering a work related injury while "not at work?" Yes, that's right, TDY injuries do occur and what is the course of action when it happens.

It should be noted that the same procedures apply when someone suffers a work related injury away from their duty location, as it does when at their duty location. If medical attention is needed, it should be the first priority! The following bulleted guidelines are provided if your assistance is needed for a TDY injury.

- If the injury requires emergency treatment, contact the Duty Location ICPA, NGB Regional Liaison and family member of injured worker. It is necessary for someone to accompany the injured worker to the medical facility.
- Accompanying documentation should be a CA-16 (signed by the injury location ICPA or Agency Representative) and the ACS Billing information.
- The medical Facility should be informed that a work related injury has taken place and the necessary paperwork is being generated.
- The individual responsible for ensuring the filing of the claim is the Supervisor of the Injured Worker or ICPA/HRO at the Duty Location. However, it is necessary for coordination with the ICPA or Agency Representative at the Injury Location.
- The representative at the Injury Location is the onsite individual to ensure necessary information is gathered from the injured worker, and then provides that information to the ICPA/Supervisor at the Duty Location to ensure timely filing of the claim.
- It is imperative that a copy of the Technician Orders accompany the paperwork being filed to DOL.
- If a hospital stay is required, the primary ICPA should notify the DOL immediately and provide the claim tracking number.
- If a hospital transfer is necessary, coordination of transportation will involve the Regional DOL Office in cooperation with the gaining medical facility. Your NGB Regional Liaison is a key player to ensure this coordination is a smooth process.
- Authorization would need to be granted. A copy of the issued and signed CA-16 to the gaining facility could be used in lieu of the formal authorization. Once the formal authorization is received, it should be forwarded to the gaining medical facility.

Preparation in advance is a key element. While no one plans on an injury, it is best to be prepared in the event one occurs. For those who are organizing a training session, it is always a good practice to have each attendee complete an I.C.E. "In Case of Emergency" Form. It is also a good idea, as an individual, to have at least two I.C.E. contacts built into your cell phone. This will provide persons at the injury location with necessary contact information should you be unable to provide that information yourself.

Intensive case management is essential for TDY injuries, as out of state medical billing coordination and authorization becomes a factor, so follow-up is a key element. Always remember, when in doubt, contact your Regional Liaison for assistance. Afterall, that's why we're here!



Trivia

?s

What is the OSHA 300?

What is the OSHA 300 used for?

Who uses the OSHA 300?

When is the OSHA 300 used?

Why is the OSHA 300 used?

Where is the OSHA 300 Found?

The OSHA 300 is the form used by The Safety Office to log all injuries, and is used for the express purpose of identifying weaknesses, potential hazards, training needs & equipment! Safety Office is the Proponent, however, the ICPA is often called to provide input **ONLY!**

Remember....

- ❖ Forms should not be loaded into Weeds but rather **faxed** to the Jacksonville Case Create Facility at ... (202) 343-5570
- ❖ When requesting an NDS for a Return to Work potential, the Job Offer **must** be accepted prior to the NDS position being requested from NGB.
- ❖ Electronic OPFs are **not** to contain any OWCP information.
- ❖ A Case Login on inside cover of each case file is a helpful tool for effective Case Management. All recent activity at your fingertips!
- ❖ P.O.W.E.R.
Protecting Our Workforce **and** Ensuring Reemployment

***Do you have the POWER?
Who have you bought
back to work lately?***

Q: If an employee is convicted of a felony other than FECA fraud, would they be entitled to compensation?



Answer: Yes

And The Answer Is... *By Kim Upchurch*

An important part of my job each day involves researching Federal Employee Compensation Act (FECA) regulations and applying them to everyday situations. Recently after searching for an obscure OWCP reference, I thought of something Charlie Brown once said and I had to smile. It went something like this, "If you don't like their rules, whose would you use?" Anyone that has worked with the FECA program for any length of time quickly learns that just like in many other disciplines, there are laws, rules and regulations that govern the program. It's all just so confusing, or is it? During the next few paragraphs we will take a quick look at the more common OWCP rules and regulations governing the program and then provide you with a road map of sorts to assist you with your topical research.

The most common OWCP regulations can be found on the NGB GKO website at the J1-TN Employee Relations and Benefits page and the links to the other references can be found at dol.gov. The primary OWCP regulations are as follows:

- NGB Policy, Procedures and TPR 800
- CFR 20 Part 10
- DOD 1400.25
- CA 550
- CA 810
- OWCP Procedural Manual
- ECAB Decisions

When responding to inquiries, it is a good idea to provide a reference along with the response. The CA 550 is a great resource to share with employees as it provides a user friendly approach to the most frequently asked questions and answers. Do you need a practical approach to managing your workers compensation program? The DOD 1400.25 is a great regulation for processing guidance. If you have a passion for the law and reading case summaries, you can't go wrong with ECAB decisions. You can also use these decisions to support requests for review or challenges to a case when submitting additional information to OWCP, from the agency perspective. And if you are unable to find your answer within one of these sources, you can always turn to the OWCP procedural manual to review actual claims examiner policies and procedures.

As with any good road map, the key or legend of the map provides critical information for following the map. Looking for the key or legend to the list of references above? Most regulations have an index or table of contents or you can utilize the find or search feature on the computer. You should begin your search by typing in a specific term or phrase. The cursor will appear each time the phrase is mentioned in the text. If you are still unable to find the answer to the question, you can type your question into Google and that will sometimes take you to the specific regulation. And finally, your NGB OWCP Regional Liaisons are always available to assist you with your OWCP inquiries.

DID YOU KNOW?

By: Caroline Howard

Many of the states have found it difficult to obtain an opinion from a medical professional in their day to day operations of managing cases. For example, how can they address questions related to appropriate accommodations, long term absences or long term medical treatment, insufficient or inconsistent medical reports? Without a medical professional who is knowledgeable of OWCP rules who can assist them in reviewing the medical aspects of a case documentations they find it difficult to determine the next appropriate action and/or how to request assistance from DOL.

The Regional Liaison Team is launching a new initiative working with an identified available National Guard Occupational Health Nurse (OHN). The partnership initiative will be at first one centralized office with the Lead Liaison and one Lead OHN working towards a final process for all states to utilize as needed. This process will assist the National Guard Technician program in providing improved and medically sound case management to effectively address costs and lost productivity. This process is initially for Regions 2 & 3 with plans to expand once it is finalized. It will be utilized for new or older complex claims to determine if the documentation of record supports the current status of disability, light duty and/or physical therapy treatment or other care is warranted in accordance with FECA regulations and/or the AMA Guidelines for the accepted work related condition(s).

Primarily, the key stakeholders include: the state ICPA will identify and refer a complex or case with questionable medical issues to the NGB Regional OWCP Liaison (ROL) for consideration of a referral to the centralized office; the NG ROL refers the case if warranted to the primary OHN Initiative ROL with the issues needing to be addressed medically. The primary OH ROL will review for entitlement compliance under OWCP regulations, refer it to the OH Nurse, and generate the letter to DOL requesting their consideration questions or requests for the medical documentation for a sound medical opinion for the DOL claims examiner's consideration on behalf of the state in accordance with the requirements under FECA and DOL policies.

Look for more information to be coming to you soon as we work through the kinks and expand with additional OH Nurses and ROLs to assist your state in managing the medical aspects of workers' compensation cases as warranted!

Mark Your Calendars and Reserve Your Seat!

◀ Jul 2012 ~ August 2012 ~ Sep 2012 ▶						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27 NGB Functional Training - Andrews AFB ⌚ 0800-12 Noon General Session 1300-1700 ✍ Basic Training for New ICPAs-1 ✍ HRO Benefits Breakout Sessions	28 NGB Functional Training - Andrews AFB ⌚ 0800-1700 ✍ Basic Training for New ICPAs-2 ✍ HRO Benefits Breakout Sessions	29 NGB Functional Training - Andrews AFB ⌚ 0800-12 Noon OWCP Breakouts Benefits Breakouts 1200-1300 – Lunch 1300-1700 OWCP Breakouts Benefits Breakouts	30 NGB Functional Training - Andrews AFB ⌚ 0800-12 Noon OWCP Breakouts Benefits Breakouts 1200-1300 – Lunch 1300-1700 OWCP Breakouts Benefits Breakouts	31 NGB Functional Training - Andrews AFB ⌚ 0800-12 Noon OWCP Breakouts Benefits Breakouts 1200-1300 – Lunch 1300-Undetermined OWCP Breakouts Benefits Breakouts	Notes:

IMPROVING COMMUNICATION BETWEEN ICPAs & SUPERVISORS

by: Phil Botwinik

Communication between two people can be challenging at times. If you add into the equation many moving pieces, i.e. different work schedules, annual training periods, different locations, different educational backgrounds, different experiences, and different motivations, you have a recipe for a rough road. Below I will try to make some suggestions on how to improve communication between ICPAs and Supervisors.

To begin, communication is more of an art than a science. However, the good news is that a person can learn to speak and write more clearly. I was taught, in trial preparation, that if you can explain it to a 4th or 5th grader and they understand it, then you have a theme that can be easily understood by the jury. A good communicator makes their audience feel smart, because they understand the message.

So a good communicator has to develop their message in clear, plain English. Fancy words are not helpful. Terms of art can be used, like maximum medical improvement, or functional capacity evaluation, but the general rule is that clear and direct communication is always better than complicated and indirect communication.

Follow up is always key! I alluded to different schedules being a challenge. This is an understatement. If you consider leave time, training, some people work different shifts, some people work in a state with different time zones, you truly have a recipe for disaster. So remember, as the ICPA it is your responsibility to communicate early and often once the Supervisor reaches out to you with a problem or issue. I recommend phone calls and emails on issues like returning to work, whether a new injury is work related or non-work related, and if you are dealing with light duty, then more than likely a face to face meeting may be needed. In fact, if the supervisor and you can link up at a training seminar, or when one of you is visiting the other's building, why not talk face to face for 5 or 10 minutes. Sometimes communicating only by email or only by telephone voicemail message is not enough. For example, I recently had to give supervisor training in Savannah, Georgia. I told the LTC of one repair shop I wanted to meet up with two supervisors to discuss an OWCP claim. The LTC had the supervisors find me at the training and link up with me. They volunteered to talk after the training for the day ended for about 20 minutes. We talked privately and we matched a face with a name. We helped each other and exchanged information on what we knew about an investigation. The efficiency of the face to face meeting could not have been accomplished no matter how many phone calls or emails we sent each other.

The last piece I want to go over is what I call the golden rule. Please treat others how you would want to be treated. The graduate level version of the Kindergarten golden rule is below: caring, constructive, and considerate communication.

- **Caring** – Try to communicate in a way that shows you care about the supervisor (and the employee). Remember some of our technicians have known their employees for months, years, and decades. Some may have fought in a combat zone with one another. They may feel protective of their employees, they may be friends with their employee, and they may even be neighbors with their employee. Treat everyone with dignity and respect.
- **Constructive** – Rather than trying to be always right or explain why the other person is wrong, try to focus comments and suggestions on how to make this situation better in your professional opinion. Positive and helpful comments seem to move the conversation toward a positive resolution for all. Sometimes the answers or solutions may mean some change for someone. This change is not always positive. However, if people are treated fairly and understand what is happening to them, then they at least can be grateful about how they were treated and not merely the end result.
- **Considerate** – Recognize that our supervisors and employees show great dedication and loyalty to their jobs. By making comments and suggestions that recognize their value, the supervisor or employee can try to seek win-win solutions to most issues that arise with OWCP or workers' compensation matters. Finally, communication is a two way-street, so being considerate ensures that the communication goes well in both directions!

Quick Tip: Your FECA Working Group is an Excellent tool for Effective Communication between Chief of Staff, HRO Staff, Supervisors, ICPA, Occ Health and Safety. Don't neglect this valuable tool!

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